



**COURT OF MAGISTRATES (MALTA)  
AS A COURT OF CRIMINAL JUDICATURE**

**Magistrate Dr Leonard Caruana LL.D (Melit.) M.A. (Fin. Serv.)**

Today, the 10<sup>th</sup> April 2024

**The Police**  
(Inspector Francesca Calleja)

Vs

**Igor Leweski**  
(Polish Passport number EK 7561313)

The Court,

Having seen the charges brought against **Igor Leweski**, of 23 years, son of Pawel and Agata, born in Poland on the 17th July 2000, no fixed residence, and holder of Polish Passport number EK 7561313 and charged that on the 08th of April, 2024 and days/weeks prior in these Islands;

1. Cultivated the plant Cannabis in terms of Section 8 (c) of the Chapter 101 of the Laws of Malta;
2. Had in his possession the psychotropic and restricted drug (ecstasy) without a special authorisation in writing by the superintendent of Public Health, in breach of the provisions

of the Medical and Kindred Professions Ordinance Chap 31 laws of Malta and the Drugs (Control) Regulations, Legal Notice 22 of 1985 as amended;

3. Had in his possession (otherwise than in the course of transit through Malta of the territorial waters thereof) the whole or any portion of the plant Cannabis in terms of Section 8 (d) of the Chapter 101 of the Laws of Malta;

The court is humbly requested that in case of guilt, apart from inflicting the punishment as prescribed by law, order also the confiscation of all objects exhibited.

The Court is also requested to apply Section 533(1) of Chapter 9 of the Laws of Malta, with regards to the expenses incurred by the Court appointed Experts.

Having seen that during today's sitting Igor Leweski registered a guilty plea and admitted to all the charges brought against him and, with the application of Article 392A(1) and Article 453(1) of the Criminal Code, Chapter 9 of the Laws of Malta, the Court warned him in the most solemn manner about the legal consequences of his admission, and afforded him a period of time to reconsider their guilty plea.

Having seen that after being given enough time, the accused confirmed his guilty plea;

Having seen all the documents submitted by the Prosecuting officer under oath;

Having heard the oral submissions made by the prosecution and defence council in regard to the punishment that ought to be awarded to the accused.

Considered: -

That this case emanates from another report made in connection with a brawl between third parties. The police officers carried a search at this residence and found 9 cannabis plant seedlings, a few ecstasy pills and about 220 grams of hemp with a low THC content. It was clear to the prosecution that from the circumstances of the case, the drugs found were not for trafficking purposes. The Court heard that the accused collaborated immediately with the police and he also registered a guilty plea at the initial stages of these proceedings.

In regard to the punishment, the Court is taking account of his early guilty plea and his co-operation with the investigative authorities. On the other hand, the Court cannot take these offences lightly, especially since they pose a risk to good order of society and to the personal wellbeing of the accused. The accused has a clean police record.

**Decide:**

Therefore, on the basis of the above, the Court after having seen Articles 8(c)(d) and 22(1)(a)(2)(b)(ii) of The Dangerous Drugs Ordinance (Cap. 101 of the Laws of Malta) and Articles 40A, 120A(1)(a)(2)(b)(ii) of the Medical and Kindred Professions Ordinance (Cap. 31 of the Laws of Malta) and after hearing the voluntary and unconditional admission of the accused, finds **Igor Leweski guilty** of all charges brought against him and condemns him to a fine (multa) of €900 and, after having seen Article 7(1) of Cap. 446 of the Laws of Malta is placing Igor Leweski under a Probation Order for a period of one year to be reckoned from today.

In terms of Article 7(7) of Cap. 446 of the Laws of Malta, the Court explained to the accused, in ordinary language, the effect of the order and that if the offender fails to comply therewith or commits another offence, the offender will be liable to be sentenced for the original offence.

Given that no experts were appointed in this case, the Court is abstaining from condemning the accused to pay any expenses in terms of Article 533 of the Criminal Code.

The Court is hereby ordering the destruction of the items seized by the police in connection with the present crimes and exhibited in the acts of these proceedings.

**Ft.Dr. Leonard Caruana LL.D., M.A. (Fin. Serv).  
Magistrate**

**Sharonne Borg  
Deputy Registrar**